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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9                   XOCHI QUETZAL HAENA FLORES,

Case No. C19-315 RSM

10                  Plaintiff,

ORDER TO SHOW CAUSE

11                  v.

12                  STATE OF HAWAII, et al.,

13                  Defendants.

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15                  *Pro se* Plaintiff Xochi Quetzal Haena Flores has been granted leave to proceed *in forma pauperis* in this matter. Dkt. #7. The Complaint was posted on the docket on March 2, 2019. Dkt. #8. Summons have not yet been issued.

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19                  Ms. Flores brings this action against Defendants the State of Hawaii, Hawaii Department of Transportation Office of Civil Rights, Isemoto Construction Company, Southland Holdings, LLC, Hawaii State Contractor Licensing Board, James W. Glover LTD, and United States Department of Transportation Southwest Region Small Business Transportation Center. Dkt. #8. She alleges in her “amount in controversy” section that “[t]he principal value of federal contracts awarded to my corporation, from August, 2013 to June, 2016 is approximately \$1,850,000” and that “[m]y Disadvantage Business Enterprise failed as a result of the Defendants excluding me from my guaranteed federal contracts and forfeiting my

1 contractor's license without due process." *Id.* at 5. Her statement of claim is a single sentence:  
2 "[t]he defendants excluded me from performance of my scopes of work on at least three  
3 guaranteed federal contracts and caused my subcontracting license to be forfeited without due  
4 process, removing my means of income." *Id.* She seeks in relief "[p]rincipal plus future  
5 earnings and punitive damages equals \$21,000,000.00." *Id.*  
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7 Ms. Flores previously brought these same claims against these same Defendants in 2018  
8 in a prior action. *See* Case No. 2:17-cv-01899-RSM, Dkt #4. Her 2018 Complaint listed "19  
9 Dec 2014 – Nov 2015" as the approximate time the events giving rise to her claim occurred.  
10 *Id.* at 6. In that prior action, Ms. Flores was known by a different name, but she has since filed  
11 a Notice of change of name with the Court. *See* Case No. 2:17-cv-01899-RSM, Dkt #36. Ms.  
12 Flores eventually moved to voluntarily dismiss her own prior case. Case No. 2:17-cv-01899-  
13 RSM, Dkt. #27. The Court granted that Motion.  
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15 The Court will dismiss a Complaint at any time if the action fails to state a claim, raises  
16 frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from  
17 such relief. *See* 28 U.S.C. § 1915(e)(2)(B).  
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19 As an initial matter, the Complaint in this case fails to set forth a claim for relief as  
20 required by Federal Rule of Civil Procedure 8(a). There are almost no facts or citations to law.  
21 The only reference to dates in the instant Complaint leads the Court to conclude that the events  
22 giving rise to Ms. Flores's lawsuit may have occurred more than three years ago; this  
23 conclusion is supported by her prior 2018 Complaint against the same parties. This may mean  
24 Ms. Flores's claims are barred by the applicable statute of limitations. In sum, Plaintiff's  
25 Complaint appears to suffer from deficiencies that require dismissal. *See* 28 U.S.C. §  
26 1915(e)(2)(B).  
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1 In Response to this Order, Plaintiff must write a short and plain statement telling the  
2 Court (1) the law or laws upon which her claims are based, (2) the facts giving rise to those  
3 claims, 3) why the applicable statute of limitations does not bar those claims, and (3) why this  
4 case should not be dismissed as frivolous. **This Response may not exceed six (6) pages.**  
5 Plaintiff shall not file additional pages as attachments. The Court will take no further action in  
6 this case until Plaintiff has submitted her Response.  
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8 Accordingly, the Court hereby finds and ORDERS that Plaintiff shall file a Response to  
9 this Order to Show Cause containing the detail above **no later than twenty-one (21) days**  
10 **from the date of this Order.** Failure to file a Response will result in dismissal of this case.  
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13 DATED this 22<sup>nd</sup> day of March 2019.

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17 RICARDO S. MARTINEZ  
18 CHIEF UNITED STATES DISTRICT JUDGE  
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